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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,237	11/19/2001	Minoru Ikeda	4554-005	8407
22429	7590	03/16/2006	EXAMINER	
LOWE HAUPTMAN GILMAN AND BERNER, LLP			NOBAHAR, ABDULHAKIM	
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SUITE 300 /310				
ALEXANDRIA, VA 22314			2132	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/988,237	IKEDA, MINORU	
	Examiner Abdulhakim Nobahar	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 December 2005.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2,4-9,12-16,18-23 and 26-29 is/are rejected.
- 7) Claim(s) 3,10-11,17,24-25 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This communication is in response to applicant's response received on December 28, 2005.
2. Claims 1-7, 9-10, 12-22 and 24-29 are amended.

***Response to Arguments***

Applicant's arguments filed December 28, 2005 have been fully considered but they are not persuasive.

1. Applicant on page 14, lines 20-21 argues that "nowhere does Reitmeier hint or suggest the inventive claim elements directed to security-coupling, namely setting a security coupling level for the elements of information that are transmitted."

Reitmeier describes a secure and a flexible method (see [0006]) that provides multiple-level security (see [0019]) for protecting segmented data and information transmitted from a providing device to a receiving device. Furthermore, Reitmeier describes multiple-layer security system that the layers are augmented (see [0053]) and some are additionally optional (see [0054]). Thus, the flexible security system of Reitmeier can provide different layers of security for protecting segments of information in transmission (i.e., protecting

some information with less or more layers of security), which is equivalent to the security level of claimed invention.

2. Applicant on page 15, lines 9-10 argues that "Nowhere do any of the foregoing components, and their associated functions, provide or establish levels for security coupling between the segments."

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., security coupling between the segments) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3. Applicant on page 15, lines 14-17 argues that "nowhere does Reitmeier hint or suggest the inventive claim elements directed to setting a dividing rule that divides the information into a plurality of loosely coupled information, based on the security-coupling level."

Reitmeier describes a method and a system for dividing information prior to transmission into a scrambled collection of segments (corresponding to the recited into a plurality of loosely coupled information) and produces an associated index table to be used by the receiving device to reassemble the received information segments into a standard order (corresponding to the recited based on the security-coupling level) (see [0008]). Additionally, Reitmeier

describes that the input information are chopped (i.e., divided) into a plurality of information segments according to one or more of a plurality of criteria (see [0023] and [0029]) which again corresponds to the recited based on the security-coupling level.

4. Applicant on page 15, lines 17-18 argues that “nowhere does Reitmeier hint or suggest dividing the information into the plurality of pieces of loosely coupled information, based on the dividing rule received.”

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., dividing the information based on the dividing rule received) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

5. Applicant on page 15, lines 20-21 argues that “nowhere does Reitmeier hint or suggest that the segmentation is based on the security coupling between different segments.”

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., segmentation is based on the security coupling between different segments) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not

read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. Applicant on page 16, lines 3-5 argues that "nowhere does reference hint or suggest using a dividing rule at the receiving end, one that divides the information into loosely coupled information, to re-structure the pieces of loosely coupled information at the receiving end."

Reitmeier describes that an index table (corresponding to the recited a dividing rule), which has been created by the information provider is transmitted to the subscriber to use the table for reconstruction or rearrangement (corresponding to the recited re-structure) of the segmented information (see [0008] and [0037]). Reitmeier also describes that the input information are chopped (i.e., divided) into a plurality of information segments according to one or more of a plurality of criteria prior to transmission to a subscriber (see [0023] and [0029]). It is obvious that the subscriber must have some knowledge of the criteria (i.e., the segmentation rule) In order to reconstruct the segmented information at the receiving end.

7. In light of the above submission the previous claim rejections under 35 USC 102 is maintained.

***Previous claim rejections***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 2, 4-9, 12-16, 18-23 and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Reitmeier et al (2002/0003881 A1; hereinafter Reitmeier).**

Regarding claims 1, 7, 8, 15, 21, 22 and 29, Reitmeier discloses: a plurality of information communication terminals that exchange information including a plurality of elements (see, for example, [0031]-[0032]), wherein, of the plurality of information communication terminals an information communication terminal that transmits the information comprises: a security-coupling level setting unit which sets a security-coupling level of the plurality of elements of the information (see, for example, [0005], [0006], [0017], [0019] and [0050]-[0054]);

a dividing rule setting unit which sets a dividing rule that divides the information into a plurality of pieces of loosely coupled information, based on the security-coupling level set by the security-coupling level setting unit (see, for example, [0007]; [0008]; [0023], where scrambled collection of information segments corresponds to the recited plurality of pieces of loosely coupled information);

a dividing unit which divides the information into the plurality of pieces of loosely coupled information, based on the dividing rule set by the dividing rule setting unit (see, for example, Fig. 1, 110A and 110B; [0021]; [0008], where the index table corresponds to the recited dividing rule); and

a transmitting unit which transmits the plurality of pieces of loosely coupled information divided by the dividing unit, and the dividing rule set by the dividing rule setting unit (see, for example, [0003]; [0005]; [0008]; [0054]), and

wherein, of the plurality of information communication terminals an information communication terminal that receives the information comprises:

a receiving unit which receives the plurality of pieces of loosely coupled information, and the dividing rule (see, for example, [0008]; [0017]); and

a re-structuring unit which re-structures the information from the plurality of pieces of loosely coupled information, based on the dividing rule received by the receiving unit (see, for example, [0008]; [0017]; [0025]; [0037]).

Regarding claims 2, 9, 16 and 23, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the transmitting unit comprises a multi-routing unit which transmits the plurality of pieces of loosely coupled information by using a plurality of transmission paths, and

wherein the receiving unit receives the plurality of pieces of loosely coupled information from the plurality of transmission paths (see, for example, [0008]; [0017]; [0054]; [0056]).

Regarding claims 4, 12, 18 and 26, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the information is described in the Extensible Markup Language (XML) (see, for example, [0016]; [0033], where it is indicated that the Reitmeier invention can be used also for other type of information including XML).

Regarding claims 5, 13, 19 and 27, Reitmeier discloses:

The information exchanging system according to claim 4, wherein the security-coupling level setting unit sets a security-coupling level based on at least one of names, contents, and attributes of the elements as defined in the document type definition (DTD) for said elements (see, for example, [0026]; [0053], where the security level depends upon the size of the segments of data).

Regarding claims 6, 14, 20 and 28, Reitmeier discloses:

The information exchanging system according to claim 1, wherein the loosely coupled information comprises re-coupling information for re-coupling information in the information terminal device at the receiving side, and wherein the dividing rule comprises information for specifying a correspondence between the loosely coupled information and the re-coupling information (see, for example, [0008]; [0018], where the index table that corresponds to the recited dividing rule, transmitted to the subscribers to be used for the rearrangement of the scrambled data segments to their original order).

***Allowable Subject Matter***

Claims 3, 10, 11, 17, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar  
Examiner  
Art Unit 2132 *A.N.*

March 8, 2006

*Gilberto Barron Jr.*  
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